

202-008493-021

AMENDMENT OF
FMC AGREEMENT NO. 202-008493

RECEIVED

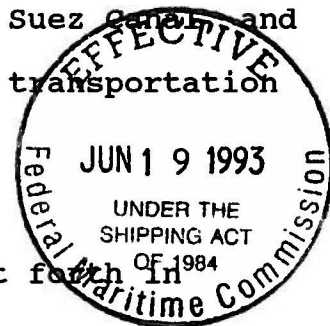
'93 MAY -5 P12:24

WHEREAS, the parties wish to amend the Trans-Pacific American Flag Berth Operators Agreement, FMC No. 202-008493, as amended previously (the "Agreement"), for the purposes of:

(a) enlarging the geographic scope set forth in Article 4 of the Agreement to cover the foreign countries ranging from the existing "Trade" westward to and including the Suez Canal and also removing references to foreign-to-foreign transportation pursuant to FMC requirements; and

(b) expanding the Agreement authority set forth in Article 5.1 to include household goods moved for all U.S. Government Departments and Agencies in the Trade;

NOW, THEREFORE, in accordance with Article 8.1, the parties have agreed unanimously to (1) amend the Agreement as reflected by Second Revised Page Nos. 3 and 4 of the Agreement which are attached hereto and made a part hereof, and (2) authorize the firm of Morgan, Lewis & Bockius, Washington, D.C., to file this amendment with the Federal Maritime Commission on their behalf, and any associated supporting materials as may be required to effectuate this amendment.



ARTICLE 4 - GEOGRAPHIC SCOPE OF AGREEMENT

This Agreement covers the transportation of cargoes described in Article 5.1 on liner vessels, whether moving in all-water or intermodal service, direct or by transshipment, in the trades and various sub-trades (collectively, the "Trade") between ports and points in the Far East and ports in the United States (including Hawaii and Alaska, and its commonwealths, territories and possessions) and interior and coastal points in the United States via such U.S. ports. For purposes of this Agreement, "Far East" includes Japan, Korea, Taiwan, Siberia, People's Republic of China, Hong Kong, Vietnam, Kampuchea, Thailand, Laos, Republic of the Philippines, Republic of Singapore, Federation of Malaysia, Sultanate of Brunei, Republic of Indonesia and all countries in the South Asia/Middle East region from Suez to Myanmar inclusive, Sri Lanka and Africa bordering on the Red Sea, Gulf of Aden, Arabian Sea, Gulf of Oman, Arabian/Persian Gulf and Bay of Bengal.

ARTICLE 5 - AGREEMENT AUTHORITY

5.1 The parties may from time to time meet, discuss and agree upon rates, terms and conditions under which household goods, personal effects and unaccompanied baggage, including privately owned passenger vehicles, motorcycles and boats (excluding yachts), for U.S. Government Departments and Agencies and moving under

through Government bills of lading or similar shipping documents executed by carriers and forwarders approved or otherwise accepted by said departments and agencies, shall be carried in the Trade.


5.2 Any tariff, schedule or compendium of such rates, terms or conditions, or any particular such rate, term or condition, agreed upon and approved by unanimous vote of all parties pursuant to Article 8.2 shall be binding upon and adhered to by all parties.

5.3 Credit for payment of freight and other charges due under tariffs issued pursuant to this Agreement may be extended by the parties only as permitted by and in accordance with rules and provisions and related bonding requirements (including rules and provisions in any standard credit agreement or indemnity bond forms) approved by unanimous vote of all parties pursuant to Article 8.2 and set forth in such tariffs. However, even if such credit has been approved and implemented, no credit shall be extended by any party to any shipper or consignee that the Secretary or his designee has advised the parties in writing is delinquent in the payment of freight or other charges to any party under tariffs filed pursuant hereto.

5.4 This Agreement specifically covers service contracts, as provided more fully in Article 14.


IN WITNESS WHEREOF, the parties have caused this amendment
to be executed by their duly authorized representative.

AMERICAN PRESIDENT LINES, LTD.

By: 
Name: Robert A. Peavy
Title: Attorney for Agreement

Date
Signed: May 5, 1993

SEA-LAND SERVICE, INC.

By: 
Name: Robert A. Peavy
Title: Attorney for Agreement

Date
Signed: May 5, 1993